

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK SUBHER,

Plaintiff,

v.

CITY OF PHILADELPHIA, et al.,

Defendants.

CIVIL ACTION

NO. 22-601

ORDER

AND NOW, this 9th day of December 2022, upon consideration of Defendants' Motion to Dismiss (ECF 25), Plaintiff's Response (ECF 27) and Defendants' Reply (ECF 28) it is hereby **ORDERED** that Defendants' Motion is **GRANTED IN PART and DENIED IN PART**. Defendants' Motion is **DENIED** with respect to Count IV and is **GRANTED** with respect to all other claims.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.